THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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W.P.No.19525 of 2007

Date: 29-10-2007

Between:

Mohammedi Begum …. Petitioner

And

The Mandal Revenue Officer, (Tahsildhar),
Siddipet Mandal and Proper,
Medak District.

… Respondent

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P.No.19525 of 2007

O R D E R:

Petitioner submits that that she made an application dated 07.11.2006 before the Mandal Revenue Officer (Tahsildar) to furnish the copy of the pahanies for the years 2000 to 2004 in respect of Survey No.1471 and 1476 situated at Siddipet Village and Mandal, Medak District. But the Mandal Revenue officer, Siddipet vide Record/1009/2006 dated 1.12.2006 rejected to issue the copies of the pahanies on the ground that the entries in column No.12 have been striked off striking and the same is manipulated without any signature of the competent authority.

As the said pahanies do not have any recorded entries the same cannot be furnished. Thereafter, the petitioner filed another application dated 9.7.2007 for furnishing the certified copies of the pahanies in respect of the aforesaid lands, but the said application has been rejected by Memo No.Record/545/2007 on the ground that the said lands are shown as Wakf lands as per the Gazette No.46-A dated 15.11.2006. Therefore the pahanies cannot be given.

If the properties are notified as wakf lands, the petitioner is not entitled to resolve her disputes before this Court but the only course open to the to the petitioner to resolve her disputes is by approaching

the Wakf Tribunal, but the only grievance of the petitioner is that he is entitled for records as it is as recorded in respect of the pahanies.

The learned counsel for the petitioner submits that to take appropriate legal proceedings either to file a suit before the Wakf Tribunal or to take any other appropriate proceedings the petitioner requires the copies of pahanies; even the tampered records as recorded in column 12. Even under the right to information Act also the respondent cannot refuse to furnish the copy of the said tampered record.

Having regard to the facts and circumstances, the respondent is directed to re-consider the applications of the petitioner and furnish the Xerox copies of the said pahanies whether tampered or in whatever manner it has been recorded on collection of the necessary charges.

The writ petition is disposed of accordingly.

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V. ESWARAIAH, J

29th October, 2007.
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